

# **2013 DRAFTING REQUEST**

## **Bill**

Received:	<b>2/27/2014</b>	Received By:	<b>agary</b>
Wanted:	<b>As time permits</b>	Same as LRB:	<b>-4342</b>
For:	<b>Garey Bies (608) 266-5350</b>	By/Representing:	<b>Tyler Sivret</b>
May Contact:		Drafter:	<b>tkuczens</b>
Subject:	<b>Courts - miscellaneous/other Transportation - driver licenses</b>	Addl. Drafters:	<b>agary</b>

Extra Copies:

Submit via email: **YES**  
 Requester's email: **Rep.Bies@legis.wisconsin.gov**  
 Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**  
**aaron.gary@legis.wisconsin.gov**

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## **Pre Topic:**

No specific pre topic given

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## **Topic:**

License suspension for failure to pay forfeiture

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## **Instructions:**

See attached; companion to LRB-4342

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## **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 2/27/2014	kfollett 2/27/2014	jfrantze 2/27/2014	_____			
/1				_____	sbasford 2/27/2014	lparisi 2/27/2014	

FE Sent For:

<END>

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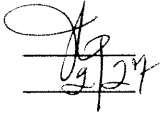
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1/?	agary	11/5f 2/27					

FE Sent For:

<END>

**Gary, Aaron**

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**From:** Gibbs, Adam  
**Sent:** Thursday, February 27, 2014 11:43 AM  
**To:** Gary, Aaron  
**Cc:** Rep.Bies; Bruce, Cory; Sivret, Tyler  
**Subject:** LRB - 4342/2 - Failure to Pay forfeiture - Assembly Companion Request  
**Attachments:** 13-4342\_2.pdf

Aaron,

Thank you for your help in drafting this bill.

Senator Grothman and Representative Bies would like to request an Assembly Companion be drafted for Rep. Bies.

Please let me know if you need any further information.

Sincerely,

*Adam Gibbs*

**Office of Senator Grothman**  
20<sup>th</sup> Senate District  
(608) 266-7513



State of Wisconsin  
2013 - 2014 LEGISLATURE

in  
2/27



LRB-48422

-43551

TKK&ARG:kjf:jm

TODAY

stays RMNR

2013 BILL

companion - no changes

pf

Regen

1 AN ACT to amend 345.47 (1) (b) and 800.095 (1) (a) (intro.), 3. and 4. of the  
2 statutes; relating to: suspension of operating privilege for failure to pay  
3 monetary judgment.

*Analysis by the Legislative Reference Bureau*

Current law permits a court to suspend for up to two years the operating privilege of an individual who has failed to pay a monetary judgment entered against the individual. This bill reduces the maximum time for which the operating privilege may be suspended by a court under these circumstances from two years to one year.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4 SECTION 1. 345.47 (1) (b) of the statutes is amended to read:  
5 345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension  
6 or revocation, that the defendant's operating privilege be suspended. The operating  
7 privilege shall be suspended for 30 days or until the person pays the forfeiture, plus  
8 costs, fees, and surcharges imposed under ch. 814, but not to exceed 2 years one year.

**BILL****SECTION 1**

1 If the defendant has notified the court that he or she is unable to pay the judgment  
2 because of poverty, and if the court, using the criteria in s. 814.29 (1) (d), determines  
3 that the defendant is unable to pay the judgment because of poverty, the court may  
4 not suspend the defendant's operating privilege without first providing the  
5 defendant with an opportunity to pay the judgment in installments, taking into  
6 account the defendant's income. Suspension under this paragraph shall not affect  
7 the power of the court to suspend or revoke under s. 343.30 or the power of the  
8 secretary to suspend or revoke the operating privilege. This paragraph does not  
9 apply if the judgment was entered solely for violation of an ordinance unrelated to  
10 the violator's operation of a motor vehicle.

11 **SECTION 2.** 800.095 (1) (a) (intro.), 3. and 4. of the statutes are amended to read:

12 800.095 (1) (a) (intro.) Suspension of the defendant's operating privilege until  
13 the defendant pays the judgment, but not to exceed ~~2 years~~ one year. If the court  
14 orders suspension under this paragraph, all of the following apply:

15 3. If the judgment remains unpaid at the end of the ~~2-year~~ one-year  
16 suspension, the court may not order a further suspension of operating privileges in  
17 relation to the outstanding judgment.

18 4. Serving the complete ~~2-year~~ one-year suspension of the defendant's  
19 operating privilege does not relieve the defendant of the responsibility to pay the  
20 judgment.

21 (END)

**Parisi, Lori**

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**From:** Sivret, Tyler  
**Sent:** Thursday, February 27, 2014 1:46 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -4355/1 Topic: License suspension for failure to pay forfeiture

Please Jacket LRB -4355/1 for the ASSEMBLY.